

FILED
OCT 17 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELINDA HAAG (CABN 132612)
United States Attorney

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

EJD
PSG

UNITED STATES OF AMERICA,

Plaintiff,

v.

KRISTIN NYUNT,

Defendant.

CASE NO. **CR 14 00530**
VIOLATIONS: 18 U.S.C. §§ 2511(1)(a) and 4(a)—
Interception of Communications; 18 U.S.C. §
2512(1)(b)—Possession of Interception Device
Transported in Interstate Commerce
SAN JOSE VENUE

I N F O R M A T I O N

The United States Attorney charges:

COUNT ONE: (18 U.S.C. § 2511(1)(a) and 4(a)—Interception of Communications)

From in or about 2010 to in or about 2012, in the Northern District of California and elsewhere,
the defendant,

KRISTIN NYUNT,

intentionally intercepted and endeavored to intercept, contemporaneously with transmission, the
contents of wire, oral, and electronic communication, including sensitive law enforcement
communication, by means of electronic and mechanical devices including spy software defendant
secretly installed on the mobile phone of a police officer.

I N F O R M A T I O N

1 All in violation of Title 18, United States Code, sections U.S.C. 2511(1)(a) and (4)(a).

2 COUNT TWO: (18 U.S.C. § 2512(1)(b)--Possession of Interception Device Transported in Interstate
3 Commerce)

4 From in or about 2010 to in or about 2012, in the Northern District of California and elsewhere,
5 the defendant,

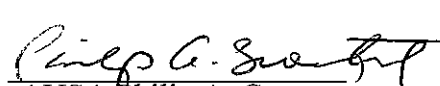
6 KRISTIN NYUNT,
7 possessed devices, namely spy software including Mobistealth, StealthGenie, and mSpy, knowing and
8 having reason to know that the design of such devices renders them primarily useful for the purpose of
9 the surreptitious interception of wire, oral, and electronic communications, which devices were
10 transported in interstate commerce.

11 All in violation of Title 18, United States Code, § 2512(1)(b).

12 DATED: 10/2/14

MELINDA HAAG
United States Attorney

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16 JEFFREY D. NEDROW
Assistant United States Attorney

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18 (Approved as to form: 
19 AUSA Philip A. Guentert

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

COUNT ONE: 18 U.S.C. § 2511(1)(a) and 4(a)-Interception of Communications

☐ Petty☐ Minor

COUNT TWO: 18 U.S.C. § 2512(1)(b)- Possession of Interception Device Transported in Interstate Commerce

☐ Misdemeanor☒ Felony

PENALTY: Maximum prison term 5 years, Maximum fine \$250,000 or twice the gross gain or loss, whichever is greater, Maximum supervised release term 3 years and \$100 special assessment

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

Kristin Nyunt

DISTRICT COURT NUMBER

CR 14

 FILED
 OCT 17 2014
 U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 RICHMOND WAREHOUSING
 CRIMINAL DIVISION
 PSG

DEFENDANT

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FBI Special Agent Gail Paresa.

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a re prosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSESHOW
DOCKET NO.☐ this prosecution relates to a pending case involving this same defendantMAGISTRATE
CASE NO.☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) PHILIP A. GUENTERT

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

1) ☐ If not detained give date any prior summons was served on above charges2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge5) ☐ On another conviction☐ Federal ☐ State6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF
ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED
TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments: